The Sun.

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If our friends who favor us with manuscripts for publication wish to have rejected articles returned they must in all cases send stamps for that purpose.

Is the New Building Code Worth Amending?

The Mayor's veto power is defined in Section 40 of the Charter, which reads in part:

"In case an ordinance or resolution shall embrace more than one distinct subject the Mayor may approve the provision relating to one or more subjects and disapprove the others. In such case those he shall approve shall be effective and those he shall not approve shall be reconsidered by the Board of Aldermen."

It has been suggested that the Mayor might exercise the discretion conferred upon him by the Charter to accept the bulk of the new building code while returning to the Board of Aldermen the provisions relating to the administrative authority of the Superintendent of Buildings, to cinders, concrete, and to Rosendale or natural cement.

This proceeding would be justified only on the assumption that apart from the provisions just mentioned the code is a desirable measure, possessing substantial and positive merits. Such merits, however, are wanting. The code does not attempt to solve any one of the larger and really important problems connected with building construction. It does not remove the conflagration hazard in the congested districts, does not materially reduce the ordinary fire risk in the suburban areas, and virtually leaves the question of sanitation untouched.

The code now proposed is essentially a makeshift. Meanwhile it disturbs practically every section of the existing law and modifies at innumerable points the cost of non-fireproof as well as fireproof construction. Until it has been in operation long enough to develop a generally accepted schedule of construction costs for typical buildings lenders will hesitate to advance money on projected structural enterprises.

It seems hardly worth while to check the investment of capital in building operations and to throw labor out of employment for the sake of enacting a code which even as a temporary measure is of doubtful value.

Municipal Liability for Automobile Accidents.

In April last a fatal automobile accident occurred on a public road near Woodruff's Corners in Ontario county. The motor car turned turtle and one of its passengers was killed and another severely injured. The place of disaster is in the township of Farmington, and the representatives of the person who was killed have now brought a suit against the town to recover damages for negligently causing his death on the ground that the automobile was overturned by reason of the bad condition of the highway at the point of accident and the failure of the town authorities to guard it properly.

The litigation will raise some interesting and important questions in regard to the duties of rural townships to maintain their highways in a safe condition for the passage of automobiles.

As to the obligation of highway officers to exercise reasonable care to keep the public roads under their charge safe and suitable for horse drawn vehicles there can be no doubt. Such vehicles, however, do not move along the highway at a speed of 60, 30 or even 20 miles an hour, and consequently nobody formerly thought of such a thing as keeping the roads safe for carriages propelled as fast as a railway express train. A road which was perfectly safe for a team driven at a smart trot might be a path of great peril for a motor car moving at what would be deemed a moderate speed in an automobile. The introduction of motor vehicles has thus increased the burden which rests upon those charged with the safe maintenance of the highways, for although the rule of law remains the same—that is, that the roads must be kept reasonably safe for ordinary use—the fact that the employment of automobiles thereon has now become an ordinary use recognized by law calls upon the highway officials to maintain the roads in a reasonably safe condition for the passage of motor vehicles as well as vehicles drawn by horses.

In a case arising out of an automobile accident in this city the Court of Appeals has recently held that "while a municipal corporation is not an insurer of travellers using its streets and owes no special duty to those riding in automobiles, it is at all times bound to use due care to keep its public and much used streets safe and free from dangerous defects, and such streets may be as freely used by those who ride in automobiles as by pedestrians or other travellers." It is plain that travellers in motor vehicles are entitled to have the public roads kept as safe as they ought to be kept for travellers in horse drawn vehicles, but are they entitled to demand greater safeguards than were necessary before the advent of the automobile?

It may well be urged that in every locality where the use of motor vehicles is allowed the roads ought to be kept reasonably safe for their use. This use, however, should be that which the law permits and within the statutory speed limit. When the occupants of an automobile are running it at a rate forbidden by law they should not be entitled to complain of the city or town authorities because they have not provided a road safe enough to enable them to violate the law with impunity.

Mr. Heney's Fees.

In a pamphlet printed in San Francisco attacking the conduct of FRANCIS J. HENEY, the prosecutor of the San Francisco graft charges, PATRICK CALHOUN, one of the citizens against whom serious accusations were made by Mr. HENEY, asks over his signature these questions:

"Was Mr. FRANCIS J. HENEY paid the sum of $47,500 during the past three years for the nominal services rendered the Federal Government during that period, or was he in fact paid for carrying on the graft prosecution in San Francisco and the true reason for the payments covered up by charging them to the alleged services rendered the Federal Government?

"Can any man holding the lucrative office of Special Assistant to the Attorney-General of the United States, the duties of which he has sworn to faithfully perform [sic], become, with the knowledge, consent or direction of the President of the United States and in violation of the Constitution of the State of California, nominally an Assistant District Attorney of the City and County of San Francisco, and while so nominally clothed with a State office invade the law guarded room of the Grand Jury and properly procure the legal indictment of any man? If so the Attorney-General of the United States can himself, under the direction of the President, properly accept an office under any one of the States of the Union, and with the weight and prestige of the Federal Government behind him procure indictments against citizens of that State.

"Can a group of private citizens conspiring together procure from the President the 'loan' of a Special Assistant to the Attorney General of the United States, and while the Federal Government is paying him sums aggregating $47,500 secure his appointment as an Assistant District Attorney of the City and County of San Francisco and pay him large sums of money in addition to his salary and in addition to what he receives from the Federal Government, to obtain indictments against men selected by themselves?"

Mr. CALHOUN's questions in one form or another have been asked many times, but they were regarded by many persons as the outgivings of an angry and vengeful man, and it was not until Monday, July 19, that they became matters of serious national importance. Then their substance became the subject of debate in the House of Representatives while the House bill making appropriations to supply urgent deficiencies for the year ended June 30, 1909, was under discussion. This bill carries $27,000 for the payment of assistants to the Attorney-General "to aid in special cases." Mr. COX of Indiana brought the question up by asking "whether or not the Attorney-General's department makes a practice of employing District Attorneys of the United States to go out of their territory and prosecute other cases while still drawing a salary from the Government? Is any part of this deficiency brought about by reason of the fact that the Attorney-General has sent United States District Attorneys to other States and Territories to conduct prosecutions?" To this Mr. TAWNEY answered no, and declared that "that would be a positive violation of the law." A moment later came this dialogue:

"Mr. COX of Indiana—Is any part of this deficiency brought about by amounts of money paid to Mr. HENEY of San Francisco?

"Mr. TAWNEY—None whatever. I will say, for the information of the gentleman and the committee, that the payments made to Mr. HENEY of San Francisco were made out of appropriations made for years prior to the fiscal year 1909.

"Mr. COX of Indiana—So that there is no part of this deficiency—

"Mr. TAWNEY—No part of this deficiency arises by reason of any payment made to Mr. HENEY."

Another subject received consideration, and then the payments to Mr. HENEY were again brought up:

"Mr. MURPHY—I should like to ask the gentleman from Minnesota a question. Did I understand him to say that none of this money was paid to FRANCIS J. HENEY?

"Mr. TAWNEY—I say none of this deficiency is in any way due to payments heretofore made to Mr. HENEY on account of any service he may have rendered to the Government in the past.

"Mr. MURPHY—Can you tell us how much money has been paid to Mr. HENEY during the last year and what services he rendered to the Government for the money so paid him?

"Mr. TAWNEY—Twenty-three thousand dollars, and no services whatever that year. [Laughter.]"

Once more other subjects occupied the attention of the House, but the compensation of Mr. HENEY was not forgotten as the debate progressed:

"Mr. SIMS—I would like to ask the gentleman a question. The gentleman has stated that $23,000 was paid to one gentleman for no service rendered. I would like for the gentleman to explain to the House how it comes that those officers paying out our public funds pay them out for no services rendered?

"Mr. TAWNEY—It is claimed that he was paid that sum for service rendered in previous years; that there was no service rendered in the fiscal year 1908. It was for services previously rendered.

"Mr. SIMS—Upon the authorization of Congress?

"Mr. TAWNEY—Authorization of the Attorney-General.

"Mr. FITZGERALD—He was paid the additional money after he had resigned and had been paid and receipted in full for his services?

"Mr. TAWNEY—I am informed that is the fact, although I have not been able to verify it.

"Mr. SIMS—Cannot the gentleman so clothe the language of legislation in appropriation bills as to prevent a thing of that sort?

"Mr. TAWNEY—Mr. HENEY was appointed Assistant Attorney-General of the United States on the 7th of November, 1903. He served for some time as assistant to the Attorney-General and then was appointed as an Assistant District Attorney for the District of Oregon. He was then appointed District Attorney for the District of Oregon, and served in that capacity a few months, and then resigned and was again appointed assistant to the Attorney-General and was appointed to prosecute certain cases as assistant to the Attorney-General. His services extended from November 7, 1903, until 1906, since which time he has performed no active service for the Government, as is shown by the testimony of Mr. FIELD, the chief clerk of the Department of Justice, which is printed in the hearings. For that total service as assistant to the Attorney-General, as assistant to the District Attorney, and as District Attorney he has received $69,125. These are the facts disclosed by the chief clerk of the Department of Justice before the gentlemen who prepared this bill.

"I want to add that it appears from the testimony of Mr. FIELD that for the last three years Mr. HENEY has not performed any active service in any of the cases in which he has been retained by the Government of the United States. It is also claimed that he gave a receipt in full shortly before the close of the last calendar year, and that subsequent to the giving of that receipt in full for all services he was paid, on the order of the then Attorney-General, Mr. BONAPARTE, $5,000."

Then followed further debate, Mr. FITZGERALD proposing an amendment specifically excluding Mr. HENEY from receiving any part of the $27,000 to be appropriated by the urgent deficiency bill. In support of this Mr. FITZGERALD said in part:

"This appropriation is a deficiency in the appropriation bill for the payment of assistants to the Attorney-General. I do not propose to characterize the conduct or actions of Mr. FRANCIS J. HENEY; but when I find that in the course of four or five years, while engaged in important public business for other divisions of a State or municipal government, he received $69,000 for alleged services to the Federal Government it does seem to me that some check should be placed upon the possibility of paying him further for his supposed services, at least until some investigation can be made. I am further inclined to this belief, Mr. Chairman, for the following reasons: I find from an examination of what purports to be a compilation of the vouchers on file in the Department of Justice, that on January 8, 1907, Mr. HENEY filed his resignation with the Attorney-General as a special assistant in the case of the United States against BINGER HERMANN. This was accepted on January 11. Some time later—February 19, 1908, I believe—he filed a claim for $8,000 in full payment for services as Special Assistant to the Attorney-General in the case of the United States against HYDE, United States against DIAMOND, United States against BENSON, and United States against BINGER HERMANN. Yet in January, 1909, he was paid a further sum of $5,000 for services in the Hermann case. It would be that although he had resigned and his resignation had been accepted, although he had been paid in full for his services and at that time had received all told in the nature of $64,000, he was still entitled to $5,000 additional for his services. However, I should like to have that investigated."

There was further debate on the question, Mr. HENEY being warmly defended by Mr. MANN and Mr. HOBSON. In answer to a question from Mr. FITZGERALD in regard to twenty-eight cases in which Mr. HENEY is still apparently retained as Special Assistant to the Attorney-General, this statement was forthcoming:

"Mr. TAWNEY—Mr. HENEY's several appointments continue until the termination of the suit or until he resigns or is asked to resign. In that connection I want to read a paragraph from a letter of the Attorney General:

"'I have given general instructions and instructions in all the cases in which Mr. HENEY is retained to make a careful examination of the cases, and if they cannot be brought to trial within a reasonable time with any prospect of success, that the indictments be dismissed, and have caused some indictments to be dismissed under these instructions.'"

Mr. HENEY himself was quoted yesterday as saying that:

"I have not received a dollar in fees except for services rendered prior to the commencement of the San Francisco graft cases. The delay in payments to me by the United States Government was due to lack of funds, necessitating a special appropriation by Congress. A full itemized statement of all my accounts is in the hands of the United States Attorney-General."

It will be seen that this agrees with the statement made by Mr. TAWNEY that the payment of $23,000 "was for services previously rendered." Without an itemized account of Mr. HENEY's monetary transactions with the Department of Justice it is impossible to say that his declaration is correct, and obviously the merits of the San Francisco prosecutions are not involved in this entanglement. They do not rest on Mr. HENEY's financial transactions with the Federal Government. It is apparent, however, that this groping in the dark for facts, these delayed payments, all point to the high desirability of an investigation of the bookkeeping in the Department of Justice and a general ventilation of the employment of special assistants to the Attorney-General, which seems to have attained during the Roosevelt administration a magnitude not suspected by the public.

An Illustrious Reputation.

In the Senate debate on the section of the tariff bill establishing a United States Court of Customs Appeals it was asserted that the Attorney-General deemed the measure constitutional. Senator RAYNER of Maryland thereupon asked:

"Is the Attorney-General infallible? I have seen Attorneys-General make the greatest mistakes on earth. I say as to one of the Attorneys-General who preceded the present Attorney-General that if you gave him a promissory note and a confession of judgment upon it he would lose the case. [Laughter.]

"Mr. BAILEY—That is such an apt characterization of an Attorney-General I once knew that I should like to have his name to go along with the photograph."

Who was this Attorney-General? Was he from Senator RAYNER's own State? Mr. RAYNER did not say that he immediately preceded Mr. WICKERSHAM.

Future Inaugurations.

Washington has renewed the agitation for a change of inauguration day from March 4 to some time in April, if not later. Of course we know the reasons for this. The great throbbing masses of the people want to see their Presidents hauled down Pennsylvania avenue to the Capitol and then hauled back again, and the citizens of Washington are ready to erect sight seeing stands all along the route where visitors can get seats at from $1 to $5 each to witness the procession. But March 4 in Washington is not a safe day for pageantry. This year it was impossible. It is conceivable that the patriotic citizens lost money. So they want the date changed to some salubrious, *al fresco* month, in which they can invest with comparative composure.

We do not see how this consummation is to be achieved without a vast amount of trouble and concerted action all over the United States, and we fear this concerted action will prove difficult, since at least nine-tenths of the population do not care when inaugurations are celebrated and haven't the slightest idea of attending one in any event. This solicitude for the groaning millions touches us deeply, to be sure. A willingness to provide for them at 200 or 300 per cent. profit, to house the visiting organizations and to hold the ball in Government buildings is too beautiful to witness without genuine emotion. We fear it cannot be arranged, however, unless the people at large can be induced to take more interest than at present they seem disposed to take.

The fact is that future inaugurations should be conducted by the Government alone. The escort to the Capitol should be purely military and of no great proportions. After that if committees of local real estate men, hotel keepers, retail merchants, &c., want to invite sight seers and marching clubs and military organizations to witness the pageant, and if need be supplement it, they should be left free to do so—under the usual police surveillance—but without assistance or complicity on the part of the Government. Certainly the public business should not be interrupted for days at a time to further the speculations of a few local operators.

Sheep Raising in Virginia.

It is beautiful to hear our Virginia friends talk about sheep raising. They can make that industry look like a relaxation. Everything favors it. The lush valleys, the swelling mountainsides, the long reaches of sumptuous pasturage, &c. Why should not Virginia become a great sheep raising State and the wool roll up into huge white masses under the manipulation of the shearers? Why, indeed? There is only one thing to prevent, and that a mere mangy yellow dog.

But let some incautious statesman say one word about the regulation of dogs, and Virginia, from Norfolk to Danville and from Winchester to tidewater, rises as one man in explosive protest. Every farmhouse becomes a bristling fortress. Every farmer a truculent, swashbuckling warrior. Sheep are all very well. Everybody loves to see the little lambs frisking about and the flocks grazing on a thousand hills. Everybody knows, moreover, that it means easy money for the grower, pianos and automobiles and fashion journals and all the rest of it for the family; but there is old Heck sprawling in the sun, snapping at the flies, chasing fleas up and down his leg, and distilling bad smells, for the delectation of the children. Old Heck that runs under the kitchen stove and growls when a stranger enters the gate, and ranges far and wide by night in search of unresisting prey. Kill Heck, or keep him tied up in the corn crib, or do anything else calculated to curb his instincts or bridle his activities? Not much. Rather than that, the deluge.

And this is one reason why Virginia has not become a great sheep raising State. There are other reasons, but they do not count.

Few friends of Dr. ELIOT and fewer graduates of Harvard will, in our judgment, quarrel with the following utterance of the profit takers of the "five foot" folly: "The publishers feel that the honorarium he has received has recompensed him poorly enough for the time and labor he is now spending." When to time and labor is added the dignity sacrificed—it is hard to conceive a honorarium even approximately adequate.

The truthful and painstaking chroniclers of the emergence from the Kings County Jail of a policeman who had completed a term of thirty days for contempt of court in refusing to obey a writ of habeas corpus record the fact that as he gazed admiringly at a large and handsome rubber plant a few doors from the prison entrance, he exclaimed:

"My, what an increased interest one gets in Nature after a short term in jail!"

This touching observation reflects credit on the policeman's gentle and introspective mind; but he was not sent to jail to acquire an increased capacity for the enjoyment of Nature. The object of his punishment was to teach him, and every other policeman in the city, that the writs of the courts must be obeyed, even though obedience to them may interfere with those high things known as the "police regulations" and the "precedents established by the department." It was for putting these first and the solemn order of the court nowhere that the policeman spent thirty days in jail.

It is earnestly to be hoped that all policemen will study the works of Nature, but it is of more serious importance that they shall learn to obey the laws just as other citizens should.

Janitors denounce Governor HUGHES.—*Headline.*

This looks like a real struggle for human liberty.

The belief has long been prevalent in many parts of the West that the bite of the skunk, even when the animal is not itself rabid, will cause hydrophobia. At a recent meeting of the Arizona Medical Association Dr. C. E. YOUNG of Prescott said:

"After careful investigation I am of the opinion that the skunk is not more the cause of hydrophobia than the dog. It seems that while it is possible for one to have hydrophobia after being bitten by a skunk, the idea has gained ground to such an extent in the Southwest that all skunks are called hydrophobia skunks. This is based on a simple psychical impression and not based on fact."

Dr. WILLIAM OSLER in his classic treatise on the practice of medicine mentions the fact that in the Western States the skunk "is said to be very liable" to rabies. Army surgeons who served against the Indians on the frontier did much to give currency to this notion in the first instance. We remember reading accounts of the incursions of skunks into tents in camp, where they bit the sleeping soldiers.

Short Essay on Rooseveltian Continuity.

From the Boston Evening Transcript.

These are days when the country is moving rapidly in its policies respecting business and finance. Mr. Taft's leadership ought to put to rest the earlier charge that he was liable to "ditch the Roosevelt policies." It is very much to be doubted if "Theodore the First" ever led the country in so long a step toward the larger exercise of Federal authority for purposes of regulation as Mr. Taft will have seen taken when the corporation tax amendment, now agreed to in conference, shall have been written on the statute books.

An African Convention of Penologists.

The fauna assembled from far and near
To consider means and ways
Of reprisal against the naturalist
Abruptly ending their days.

The camelopard wanted to wring his neck,
The lion to cut his roar.
The hippo suggested filling his teeth,
And the leopard lapping his gore.

The zebra wanted to lay 'on the stripes;
But all of them withdrew when
The secretary bird suggested they steal
His typewriter and his pen.

M. M.

DOUBLE TAXATION.

TO THE EDITOR OF THE SUN—*Sir:* Double or multiple taxation on one and the same income, thing, person or property is a hardship. President Taft and his learned collaborators, Mr. Wickersham and Mr. Root, in the corporation tax scheme are discovering, one must think, that no national taxes on incomes, whether individual or corporate, can be laid without such possible double or multiple taxation. A person in New York, including a corporation, liable to a Federal tax on income is liable to a New York tax on the same income, and then to a tax on the franchise, business or property producing the income. That, to go no further, covers three taxes.

There are innumerable probable circumstances in which the pending corporation tax will, if it shall become law, inflict multiple taxes on the same person or thing.

The management of real estate is more and more each year placed in New York for one or another good reason in a corporate form. Trustees do it. Several inheritors of real estate do it to avoid the necessity of a partition. The real estate is visible and tangible. City tax assessors can and do value and tax it. Under the proposed corporation tax law a second tax must be paid to the Federal Government on the net income from the same real estate. And yet the Washington Government will have had no more to do with the corporation or its franchise or acquiring the real estate than the Constantinople Government.

Such cases and hundreds of others show how inexpedient and unjust it will be for Congress, having so many available sources of taxation, to invade those which belong peculiarly to each State.

The prevailing cry now in Congress is that States north of a certain parallel of latitude and east of certain longitudinal lines do not tax rich men severely enough. Therefore the Federal tax gatherers must get hold of them and their property and there must be national income and inheritance taxes. Perhaps it may be that those condemned States do not tax at their full market value all the bonds and personal property having a situs therein of their inhabitants. But why not let those condemned States in their own way manage their own taxation affairs? Do the condemning States, each of them, tax at its full fair value all the bonds and property of the plutocrats dwelling therein?

If the President and Congressmen can get from a tariff and the internal revenue the means to spend all the money required for national purposes, why vex themselves over State taxation and the escape in New York or elsewhere of the bonds of Mr. Carnegie or of any one else, unless it be that the purpose is to reduce the condemned States to the condition of mere provinces like the Philippines and Porto Rico or mere municipal corporations to be regulated from Washington?

But such multiple taxes and regulations from Washington are not after all as serious in a moral aspect as the effort now made in Washington to circumvent or evade the Constitution in laying taxes. It will not be surprising, after men and women see what goes on at both ends of Pennsylvania avenue to get around the Constitution in the laying of taxes, that those men and women endeavor by sophistry or subterfuge to escape payment of those taxes.

S.

NEW YORK, July 22.

NEWTON'S LAW REPEALED.

The Theory That the Force of Atoms Is Repellent Proposed and Defended.

TO THE EDITOR OF THE SUN—*Sir:* Is Newton's law of gravitation erroneous? I claim that its converse is true; that is, that every particle of matter instead of attracting repels every other particle of matter.

If Newton's theory be correct, then all matter should come together, and to avoid this conclusion we are referred to centrifugal force, which essentially depends upon motion and the tendency of moving matter to travel in a line produced by force.

If the fundamental law of matter be attraction it is not apparent why it should produce a force against itself, i. e., tending to separate those particles or any aggregation thereof.

If, on the contrary, we assume that each atom or particle of matter repels each and every other atom, then we start with a force which is consistent with the accepted belief that the particles or atoms of matter are not in immediate contact with each other, but on the contrary each atom is isolated and in motion instead of fixed together with each other atom.

On my theory of repulsion a force is supplied from the beginning which reasonably accounts for separation of each atom of matter, and motion is also accounted for by repulsion, and in accordance with the law that a body in motion will pursue the line of least resistance we have simply to remember that each other atom exerts the same repellent force, and we see that the motions of the atoms, among themselves and the moving of aggregations of matter, e. g., the various heavenly bodies, will pursue a course whereby they avoid collision instead of inviting collision, as is the irresistible conclusion from the Newtonian theory.

Again: Boundless as space may be for all mathematical purposes, starting from any centre, we must assume a periphery, and it is difficult to understand why this periphery should not collapse if universal attraction were the law of matter. On the other hand, if we conceive of space as unlimited, then according to my theory of universal repulsion among all particles and aggregations of matter we are led to the conclusion that there is a continual further and further occupation of space by matter, with no limitation or end in sight.

If you or your readers will honor me with a reply I will take pleasure in forwarding further details of my theory.

W. O'D.

BROOKLYN, July 19.

The Search for Clam Chowder.

TO THE EDITOR OF THE SUN—*Sir:* A sojourner during youthful school days in the educational atmosphere of New England, I looked forward, throughout some years of residence in the Middle West, to the pleasure which was to be mine on again being able to procure, in its native habitat, that delectable dish—I had almost said "delicacy"—to my gustatory recollection known simply as clam chowder.

Now, sir, being again a resident of the East, of the Hudson territory, I find myself appalled at the multiplicity of the clam chowders offered. Wherever I seek to dine a new chowder, or at least a newly named chowder, meets my eye on the menu. Being a confiding and a patient person I have experimented on the differing offerings. New York, Fulton Market, Coney Island, Long Island, Narragansett Bay, Rhode Island, Guilford, Boston, and lastly Nantasket Beach chowders, all claiming to be clam chowders, have been purveyed me.

But, alas! None seem the real thing. What is the matter? Is it merely a case of "mother's biscuits"? Or does a selfish desire on the part of each producer for something exclusive lead to these various concoctions? Certainly none has yet hit the mark. Has the art been lost? What is the old fashioned clam chowder? Can any of your readers tell how it should be made?

EX TRANS APPALACHIA.

HARTFORD, Conn., July 21.

Mr. R. W. Gilder in the *Century Magazine* for August begins a series of reminiscences of Mr. Cleveland. Bishop Doane of Albany has his say on the divorce question. Mrs. Pennell describes the Rouen cathedral, Mr. C. C. Buel shows the workings of the Carnegie hero fund, Mr. Haggerty descants on imitation tests for monkeys, and the interesting Saint Gaudens memoirs are continued. Secretary Dickinson's speech at Gettysburg is printed, and there are papers on an old plantation garden, "the white plague," and the text books at West Point. There are seven short stories and some verse, including a new marriage ritual.

THE CAMPAIGN OF THE SOCIALISTS.

How It Is Viewed and Abhorred by Workingmen and Trade Unionists.

TO THE EDITOR OF THE SUN—*Sir:* Mark Twain once upon a time said that he was going to be good so that God wouldn't make him an editor. The facetious remark of the humorist and sage is recalled by a reading of the letter in your columns of the other day by Albert E. Averill. This particular critic of editors flings his barbs at the "hirelings of the capitalist press." It appears that at least two of them have refused him space, though in the present instance he cannot have any complaint on that score.

To one he says he sent a reply to an editorial article dealing with a particular phase of the labor movement, and it appears that his communication was returned unpublished. The editorial, he explains, involved an ominous threat to that social movement. Hence his reply. It would be amusing, were it not such an exhibition of insincerity, to witness a Socialist rushing to the defence of organized labor. What more ominous threat to the labor movement than that contained in apostle Debs's attempt to disrupt the American Federation of Labor and similar though unaffiliated bodies through the instrumentality of his revolutionary Industrial Workers of the World? Mr. Averill may have forgotten this attempt to drive rational workingmen and working women into the ranks of revolutionists, but not so with the millions in these non-revolutionary organizations.

I fail to recall that he then rushed to the defence of organized labor. Doubtless, like his "comrades," he was in sympathy with the attempt of his standard bearer to make of the labor movement the engine of the Socialist revolution.

Perhaps this disobliging editor had reasons other than those disclosed in his note of declination for refusing to publish Mr. Averill's reply. If one may judge from the opening and the closing of his letter to THE SUN, his reply was not honored with publication because it was more a Socialist polemic than a defence of trade unionism.

The "hireling" in the second instance not only declined Mr. Averill's article courteously but even pointed out at length why he was obliged to consider it as unavailable. A magazine that undertakes to enlighten its readers as to socialism may with consistency refuse to concede that in doing so it places itself under obligation to yield any measure of its space to Socialist propaganda. That the gentleman's article came within that classification is readily seen from a mere glance at its caption, "The Opportunity of the Socialist Party." Clearly it could not have been an exposition of Socialist philosophy or a defence of Socialist economics; and it was with these, evidently, that the magazine in question would acquaint its readers.

"Capitalist editors" he charges with being in league to refuse space to working class writers. But are Socialist writers working class writers? With few exceptions they are "intellectuals," a term that includes former university settlement workers, singularly favored of fortune, and other types of the doctrinaire. So far as the American labor unions are concerned these writers and preachers are without authority. Not only this, but in so far as they attempt to have their writings appear as embodying the aspirations of the working classes they are repudiated. The American Federation of Labor has time and again refused to accept socialism.

Yes, workingmen are close to the fundamental facts of life, but they are not therefore under any obligation to the Socialists. Had they gulped down the "facts" of these propagandists they would to-day be the victims of a gospel of despair, ready to seize and destroy and to reenact upon our shores those scenes in history of which we read with a shudder.

Is this overstatement; too strong? Confessedly it would appear so from the writings of the pussy footed propagandists of the party whose particular function seemingly it is to present socialism as an amiable philosophy—a little at a time, works while you sleep proposition—but this sort of propaganda is reserved for the well to do. If you would know what sort of pabulum the Socialists deal out to the unlettered and the discontented you will need to peruse their popular newspapers and weeklies. These fairly teem with matter written to drive the masses into open revolt. Let me quote a few choice paragraphs from the most widely read of all Socialist weeklies, the *Appeal to Reason*:

The system we live under is responsible for every murder, every case of drunkenness, every breach of confidence, every case of graft and boodling, every theft, prostitution and oppression.

As the capitalists make the law, an appeal for law and order under the present régime is merely a demand that you obey your masters, the capitalists.

Get next to the game. Men swindle you work people out of great wealth, then use this wealth to prostitute your women. The hundreds of thousands of fallen women is proof of this statement. Rich men and rich women lead shady lives to a great extent.

Elections are a farce, courts are merely for holding the working people while they are skinned. And this is liberty! * * * And you chumps believe it and work for it.

There is a crime in every bill passed by Congress; there is a crime in every act that upholds the capitalist system; not crimes in the eyes of the law, but crimes against justice and the people.

Is it any more foolish for the working class of Russia to sustain its brutal nobility than for you Americans to sustain your brutal aristocracy?

The rich confiscate the property of the poor without any process of law—by cunning and force of economic power. * * * The poor are compelled to work for the rich and produce five to ten times as much wealth as their wages represent.

The crimes the poor commit are logical to the environments made by the action of the rich, and hence the poor are not really to blame.

Under socialism excursions by railroad and water will be going all the time, and the people will have time and means to enjoy them.

Some of these days the workers are going to wake up and enforce a few of these much talked about "unwritten laws," especially one that the earth and the fulness thereof is the collective property of all the people.

Military maps locate every factory of importance in America. This is because our capitalist Government is preparing itself to fight the laborer in the interest of the rich.

The revolution will be accomplished by taking from the capitalist classes, either with or without compensation, as the active revolutionists shall decide at the proper time. (This by Joseph Medill Patterson.)

The workers already have paid for the wealth invested in private enterprises. Inasmuch as labor has produced all wealth the laborers feel that all wealth belongs to them, notwithstanding the fact that most of it has been withheld from them.

These are the "fundamental facts" of life that the Socialists, college, Marxist and Christian—they are all alike, and this can be demonstrated—supply the masses. Talk of the sins of the capitalist press, so called! Are these any blacker, any more hellish, than the vaporings, the fiendish incitements of these pretended working class writers?

If any of these should say that they are not in sympathy with such incendiary utterances, do not be deceived, for this leading Socialist weekly has time and again been approbated by the foremost Socialists of this country. Especially has it been spoken of in terms of admiration by the Christian Socialist Fellowship. "It is the finest little paper in the world," says the *Christian Socialist*.

During the two years past our working people to a large extent suffered untold misery, and many of them are in straits to-day. But did they not bear all and suffer all without evincing any desire to precipitate a revolution, a reign of terror? I have attended more than one meeting of the unemployed, but always the criticism was of persons and not of our institutions, save when a professional Socialist would get the floor. No people, no time, has given to history a more heroic example of patriotism than the United States, troubled and inwardly beset though it was, has witnessed during these two years. Not a single bread riot! Let coming historians note that. Of this our children shall be proud, though Socialists may be at considerable pains to explain why their "fundamental facts" and accompanying incitements had failed.

Even President Hadley is in the pay of the wicked capitalists. The learned head of Yale, as quoted by this exponent of socialism, says that the capitalists advance wages to workingmen. Is he not right? The employer and his men work jointly to produce a salable article, but the employer cannot obtain a single dollar upon the article at any moment of the process of manufacture (save by borrowing) until the finished product has been placed upon the market and disposed of; yet his help must be paid each week. Does he not, therefore, anticipate the market (to the best of his ability) and pay his employees in advance?

Says this inclusive critic: "The workingman does not receive his wages until he has added one hour, one day, one week, or one month of his labor power to the value of the capitalists' raw materials." Suppose the capitalist is erecting a building. Suppose his employees quit the first day or week; they must be paid; but if he cannot get others to take their places—what then? Simply this, he is ruined. His raw material (always a relative term), with the added labor power of one man or one hundred for one day or one hundred days, if the building be not completed, nets him nothing.

True, Marx said that the breaking down of the world market would be the last phase of capital. Increase in armaments necessary to the holding of foreign markets gained at tremendous cost and to make further commercial conquest would sooner or later bankrupt all manufacturing or capitalistic countries.

Would there not in the Socialist state be need to extend markets in respect of various lines into other countries and other climes? In other words, would the laws of trade, fixed by diversity of clime, soil, &c., cease to operate? Might not these at times involve countries in wars? Or would the entire world of industry be under the charge and direction of an overlord with such nicety of adjustment as to preclude the possibility of friction and consequent strife?

It is high time that this whole Socialist movement had the light turned full upon it. Many are deceived by its outward appearance. Did they know all that is behind the ameliorative programme of socialism they would recoil from it in horror. It is against all existing institutions, and day and night its propagandists plot their overthrow. Not only on the street corners, but also in church, college—and, yes, in public school—are its agents at work planning for the day when the red flag shall float over the Capitol at Washington and with all hell broke loose.

TRADE UNIONIST.

BROOKLYN, July 20.

AT THE PYRAMIDS OF LISHT.

The Egyptian Activities of the Metropolitan Museum This Present Season.

From the Bulletin for July.

In this third year's work in Egypt on behalf of the museum, the Egyptian expedition has continued the excavations on its concessions at the Pyramids of Lisht and at the Oasis of Kharga previously reported in the *Bulletin*.

The year has been a notable one for the expedition owing to the visit of the president of the museum, Mr. J. Pierpont Morgan. In two visits which he made to the work at Lisht, and in an inspection also of the excavations at Kharga, he was enabled to examine both the methods and progress of the work.

The active work of the year was begun at Lisht by Mr. Mace on November 20, with the continuation of the clearing of the twelfth dynasty tombs in the cemetery west of the Pyramid of Amenemhat I. This was carried on until the end of January, and resulted in the excavation of about fifty tombs, containing pottery, ornaments and other objects of types characteristic of the dynasty. The main programme for the season at Lisht had been the beginning of the excavation of the causeway and temple of the pyramid of Sesostris I., and on February 1 this was undertaken. In the work of the French expedition on this pyramid in 1894-96 the entrance hall and colonnaded fore court of the temple had been cleared. Beginning where that work had ended, our excavation was at first carried for one hundred meters down the causeway leading up from the Nile Valley to the pyramid temple, and the construction of the causeway was laid bare. It was of limestone, and proved to have consisted of a roofed passage, 2.60 meters wide, the side walls painted at the bottom in a mottled red and black, in imitation of red granite, and decorated above with scenes in colored relief. The remains of this relief which were recovered represented at some points fishing scenes and the like, and at others captives taken in foreign campaigns. At intervals of every ten meters on either side of the passage were niches, 1.30 meters deep and 1.10 meters wide, in which stood, originally, life size Osiride statues of the king. One of these statues of Sesostris I. was found near the top of the causeway, complete except for the feet, and fragments of others were found at various points. Several bases of the statues remained in position in their niches.

It was not intended during the present year to carry the excavation at this point beyond the clearing of a section of the causeway sufficiently large to determine the main characteristics of its construction, but trenches carried across at various points down the hillside to the flat level of the Nile Valley proved the continuation of the causeway construction to that point. The investigation of the whole causeway, and its lower temple or gateway through which the people entered as they came up from the valley, will be carried on another year.

On the temple proper our clearing began on the south side of the entrance hall and the fore court referred to above, and was gradually carried westward to the rear part of the temple through large mounds of surface débris under which the whole of that part of the temple lay buried. Owing to the advantage offered for dumping the cars at a nearby point on the edge of the plateau to the southeast, the railway was extended after clearing the south side, and by means of an embankment carried across the temple to its northern side, where the work is now in progress. A force, varying from 150 to 250 men, according to requirements, is being employed, and the work will be carried later into the season than usual in order to complete the excavation of the temple as far as possible.

The main features of the temple plan, however, have now become certain, and in general they conform to the arrangement found in pyramid temples of the Old Empire, as, for example, that of Ne-user-re, at Abusir, excavated by the Deutsche Orient-Gesellschaft in 1902-04, and that of Kha-Fre at Gizeh (the so-called Second Pyramid of Gizeh), excavated by the German Sieglin expedition the present year. In approaching the temple, coming up by the causeway, one passes through first the entrance hall and then into the colonnaded court. On the outside of the entrance hall, on the south side, our excavations have shown also a chamber which probably served as a magazine for storing a part of the temple utensils. Beyond the colonnaded court the temple broadens out, and through a doorway in the rear wall of the court one entered the rear part of the temple, consisting of the sanctuary, magazine chambers and other rooms. In one of these rooms we have found a central column base of red granite and a massive red granite architrave, the latter inscribed on the front and back with the name of Sesostris.

Our excavation of the temple is also resulting in the recovery of a large amount of the colored relief sculpture from the temple walls. Its remarkable preservation of color and quality of modelling render it the most important material which has yet been found in illustration of Middle Empire relief sculpture, and will place our museum in a strong position in its representation on this side.

The successful outcome of the season's excavations is now completely assured, and with the end of the work, about August 1, the results will be sent to the museum to be placed on exhibition as promptly as conditions permit.

A. M. L.

PYRAMIDS OF LISHT, May 15.

Aeronautics take first place in *McClure's Magazine* for August, with suggestions about future warfare. Mr. R. Lara gives an illustrated account of Pope Pius X., Mr. Youvatshev describes his four years imprisonment in a Russian fortress, there are confessions of a victim to alcohol, an account of the study of animal minds, the history of a badger, and reminiscences of London society. Six short stories are the contribution to fiction.